

UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF NEW YORK

NOTICE OF MOTION

IN RE:

JOSEPH A CAMP
aka Joseph Anthony Camp
aka Joseph Camp
DEBORAH L. VINCI-CAMP,
aka Deborah Lynn Vinci-Camp
aka Deborah L. Vinci,

B-17-21198

Debtors.

Chapter 13

PLEASE TAKE NOTICE, that upon the annexed application of HTD Leasing, LLC a/k/a CAB East, LLC d/b/a Ford Motor Credit Company, LLC (Ford) the undersigned shall move this Court for an Order pursuant to Section 362 (d) of the Bankruptcy Code, lifting and vacating the stay of lien enforcement as it pertains to the debtor's 2017 Ford Escape, VIN# 1FMCU0JD2HUE32379; and for relief under Section 1301 lifting and vacating the stay as it pertains to the non filing co-debtor Joseph A. Vinci.

This motion shall be heard at the United States Bankruptcy Court, 100 State Street, Rochester, New York, on February 6, 2020 at 10:00 A.M., or as soon thereafter as counsel can be heard.

“PURSUANT TO FRBP 9014 AND THE STANDING ORDERS IMPLEMENTING DEFAULT PROCEDURES IN ROCHESTER AND WATKINS GLEN; IF YOU INTEND TO OPPOSE THE MOTION, AT A MINIMUM, YOU MUST SERVE: (1) THE MOVANT AND MOVANT'S COUNSEL, AND (2) IF NOT THE MOVING PARTY (A) THE DEBTOR AND DEBTOR'S COUNSEL; (B) IN A CHAPTER 11 CASE, THE CREDITORS' COMMITTEE AND ITS ATTORNEY, OR IF THERE IS NO COMMITTEE, THE 20 LARGEST CREDITORS; AND (C) ANY TRUSTEE. IN ADDITION, YOU MUST FILE WITH THE

**CLERK OF THE BANKRUPTCY COURT WRITTEN OPPOSITION TO THE MOTION
NO LATER THAN THREE (3) BUSINESS DAYS PRIOR TO THE RETURN DATE OF
THE MOTION NOTWITHSTANDING THE DECEMBER 1, 2009 AMENDMENTS TO
FRBP9006(A). IN THE EVENT THAT NO WRITTEN OPPOSITION IS SERVED AND
FILED, NO HEARING ON THE MOTION WILL BE HELD ON THE RETURN DATE AND
THE COURT WILL CONSIDER THE MOTION UNOPPOSED."**

Dated: Rochester, New York
January 8, 2020



DAVIDSON FINK, LLP
David L. Rasmussen, Esq.
Attorneys for Ford MCC
BAR CODE NO. 601199
Office and P.O. Address:
28 East Main Street, Suite 1700
Rochester, New York 14614
Telephone: (585) 756-5954

TO: Joseph A. Camp
70 Ridgemont Circle
Rochester, NY 14617

Deborah L. Vinci-Camp
70 Ridgemont Circle
Rochester, NY 14617

Joseph A. Vinci, Sr.
89 Dalkeith Road
Rochester, NY 14609

George M. Reiber
3136 S Winton Road, Suite 206
Rochester, NY 14623

U.S. Trustee
100 State Street
Rochester, New York 14614

UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF NEW YORK

In Re:

JOSEPH A CAMP
aka Joseph Anthony Camp
aka Joseph Camp
DEBORAH L. VINCI-CAMP,
aka Deborah Lynn Vinci-Camp
aka Deborah L. Vinci,

B-17-21198

Debtor.

Chapter 13

**APPLICATION FOR RELIEF FROM
STAY OF LIEN ENFORCEMENT**

TO: HON. PAUL R. WARREN
U.S. BANKRUPTCY JUDGE


The application of HTD Leasing, LLC a/k/a CAB East, LLC d/b/a Ford Motor Credit Company, LLC (Ford) respectfully shows:

1. Applicant is a lessor of the above-referenced debtor, having leased to the debtors' a 2017 Ford Escape, VIN# 1FMCU0JD2HUE32379. A copy of the Certificate of Title reflecting the ownership is annexed hereto as Exhibit "A".
2. The obligation at issue arose as a result of a Motor Vehicle Lease Agreement entered into between debtors, non-filing co debtor Joseph A. Vinci and HTD Leasing, LLC a/k/a CAB East, LLC d/b/a Ford Motor Credit Company, LLC on or about June 28, 2017, a copy of which is annexed hereto as Exhibit "B". The current balance due and owing on the term of the lease is \$10,757.91 plus a lump sum payment due on the contract.
3. The debtors filed the Chapter 13 bankruptcy petition on November 6, 2017.
4. The Debtors Plan was confirmed on February 5, 2018 paying HTD Leasing outside of the Chapter 13 Plan.

5. After applying all payments, the debtors still remain due for the payment due November 28, 2019 and has failed to make each and every payment thereafter.

WHEREFORE, applicant respectfully requests that this Court enter an Order lifting and vacating the stay of lien enforcement as it may pertain to the debtor's 2017 Ford Escape, VIN# 1FMCU0JD2HUE32379; an order lifting and vacating the co-maker stay as it pertains to the non filing co-debtor Joseph A. Vinci; for attorneys fees and filing fees to the extent opposition is filed and an appearance is required, and for such other and further relief as is just and proper.

Dated: Rochester, New York
January 8, 2020



DAVIDSON FINK, LLP
David L. Rasmussen, Esq.
Attorneys for Ford MCC
BAR CODE NO. 601199
28 East Main Street, Suite 1700
Rochester, New York 14614
Telephone: (585) 756-5954